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19 *Taishan Fiberglass, Inc., and CTG Interna*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

DONG AH TIRE & RUBBER CO., LTD.,
Plaintiff.

V.

GLASFORMS, INC.,

**Defendant/Third-Party
Plaintiff,**

V

CTG INTERNATIONAL (NORTH AMERICA) INC., and TAISHAN FIBERGLASS, INC.,

Third-Party Defendants.

CASE NO. C06-3359 JF (RS)
(Consolidated With Case No. C06-00213 JF)

**STIPULATION AS TO PRETRIAL
DEADLINES; [PROPOSED] ORDER**

This stipulation is entered into between Plaintiff/Defendant/Third-Party Plaintiff Glasforms, Inc. (“Glasforms”), Third-Party Defendant CTG International (North America) Inc.

(“CTG”), and Third-Party Defendant Taishan Fiberglasss, Inc. (“Taishan”), by and through their respective counsel of record.

RECITALS

WHEREAS, Glasforms, CTG, and Taishan (collectively the "Parties") executed a stipulation to stay this action and mediate their dispute before the Honorable Walter P. Capaccioli (Ret.) beginning December 12, 2008;

WHEREAS, the Court on November 5, 2008 issued an order based on the Parties' stipulation that tolled all litigation activity and deadlines pending the mediation;

WHEREAS, the Parties stipulated to reschedule the mediation for January 9, 2009;

WHEREAS, the Court on December 5, 2008 issued an order based upon the Parties' stipulation which tolled all litigation activity and deadlines pending the rescheduled mediation;

WHEREAS, the Parties did not reach a settlement at the mediation;

WHEREAS, the Parties, by their respective counsel, met and conferred by telephone on January 13, 2009 concerning appropriate schedules and pretrial deadlines in this action;

WHEREAS, the Court held a status conference in this action on January 16, 2009 during which the Court scheduled this action for jury trial on July 10, 2009; and

WHEREAS, on January 30, 2009 Glasforms filed its Motion For Leave To Amend Its First Amended Complaint ("Motion to Amend") (Doc. 183) which is set to be heard on March 6, 2009,

1 NOW THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE,
2 subject to Court approval, that:

3 (A) The first available hearing date for Third-Party Defendants' Motions for
4 Partial Summary Judgment is March 27, 2009;

5 (B) Any responses to the Motions for Partial Summary Judgment shall be filed
6 on or before February 18, 2009;

7 (C) Any replies in support of the Motions for Partial Summary Judgment shall
8 be filed on or before March 4, 2009;

9 (D) Expert depositions will be scheduled during March and April 2009; each
10 expert shall produce all requested documents no later than two weeks (14 days) prior to his or
11 her deposition; and all expert discovery shall be completed on or before April 30, 2009;

12 (E) Final Witness and Exhibit Lists shall be filed and served no later than
13 May 7, 2009;

14 (F) Motions in Limine shall be filed and served no later than May 22, 2009;
15 and

16 (G) Oppositions to Motions in Limine and Trial Briefs shall be filed and
17 served no later than June 8, 2009.

18 (H) This Stipulation is without prejudice to any future modifications of the
19 pretrial or trial schedule that Taishan or CTG may seek if the Court grants Glasforms' Motion To
20 Amend. While Glasforms believes adding a new cause of action would not affect the schedule,
21 Taishan and CTG disagree. The parties agree that nothing in this Stipulation should be
22 interpreted to restrict any party's right to request future modifications as necessary.
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1 IT IS SO STIPULATED:

2 Dated: February 6, 2009

BAKER & DANIELS LLP

4 By:/s/ Kevin M. Toner

5 David K. Herzog
6 Kevin M. Toner
7 April Sellers
8 Jennifer M. Phelps
Attorneys for Third-Party Defendants
TAISHAN FIBERGLASS INC. AND CTG
INTERNATIONAL (NORTH AMERICA)
INC.

9
10 BURROW & SHIMANE

11 By:/s/ Lance Burrow

12 Lance Burrow
13 Attorneys for Third-Party Defendant
TAISHAN FIBERGLASS, INC.

14
15 CAMPBELL, WARBURTON,
16 FITZSIMMONS, SMITH, MENDELL &
17 PASTORE

18 By:/s/ J. Michael Fitzsimmons

19 J. Michael Fitzsimmons
Lisa Jeong Cummins
20 Attorneys for Third Party Defendant
CTG INTERNATIONAL (NORTH
21 AMERICA) INC.

1
2 HOPKINS & CARLEY, A LAW
3 CORPORATION
4

5 By: /s/ Robert A. Christopher _____
6 Robert A. Christopher
Eugene Ashley
Noelle R. Dunn
7 Attorneys for Plaintiff/Defendant/Third-
Party Plaintiff GLASFORMS, INC.
8

9 IT IS ORDERED that:
10

11 (A) Any responses to the Motions for Partial Summary Judgment shall be filed
on or before February 18, 2009;

12 (B) Any replies in support of the Motions for Partial Summary Judgment shall
be filed on or before March 4, 2009;

13 (C) Expert depositions will be scheduled during March and April 2009; each
14 expert shall produce all requested documents no later than two weeks (14 days) prior to his or
15 her deposition; and all expert discovery shall be completed on or before April 30, 2009;
16

17 (D) Final Witness and Exhibit Lists shall be filed and served no later than
18 May 7, 2009;

19 (E) Motions in Limine shall be filed and served no later than May 22, 2009;
20 and

21 (F) Oppositions to Motions in Limine and Trial Briefs shall be filed and
22 served no later than June 8, 2009.

23
24 Dated: 2/23, 2009

25 JEREMY FOGEL
26 United States District Judge
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